IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

TUESDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WRIT PETITION No.19040 of 1997

Between:

Chidulla Prasad,s/o. late Kistaiah,
Aged about 45 years, Service, D.No:11-124/B,
11-124/F, Sagar Road, Miryalguda,
Nalgonda district & Ors. **… Petitioners**

Versus

The Commissioner,
Miryalguda Municipality,
Nalgonda district & Ors. **… Respondents**

Counsel for the Petitioners: **Sri G. Rana Pratap**

Counsel for the Respondents: **GP for MPL Administration & Urban Development**

O R D E R :

The case of the petitioners is that they are the owners of the building bearing door nos. 11-124/B, 11-124/A and D.No.11-124/D situate at Sagar Road, Miryalguda, Nalgonda.

It is stated that the said properties are sought to be demolished for the purpose of widening of the road. Therefore, the petitioners were constrained to file the present writ petition to restrain the respondents from interfering with their peaceful possession and enjoyment and not to demolish the building bearing bearing door nos. 11-124/B, 11-124/A and D.No.11-124/D situate at Sagar Road, Miryalguda, Nalgonda, without issuing any notice or without following due process of law as arbitrary and illegal.

This court while admitting the main writ petition on 14-8-1997 passed an interim order in WPMP.No.23093 of 1997 directing the respondents not to demolish the buildings of the petitioners without issuing any prior notice to them and without following due procedure prescribed law, pending further orders.

Having regard to the facts and circumstances of the case, I consider it appropriate that the interim order dated 14-8-1997 passed in WPMP.No.23093 of 1997 is made as final order in the main writ petition.

The writ petition is accordingly disposed of directing the respondents not to demolish the building bearing door nos. 11-124/B, 11-124/A and 11-124/D situate at Sagar Road, Miryalguda, Nalgonda., without issuing prior

notice and also without following the due procedure prescribed by law.

With the above direction, the writ petition is accordingly disposed of.

No costs.

APRIL 04th, 2006. ----------

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I s L. V. ESWARAIAH, J.